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Consideration of reports submitted by States parties under article 40 of the Covenant

List of issues in relation to the fourth periodic report of the Sudan

Addendum

Replies of the Sudan to the list of issues *

[Date received: 23 April 2014]

Constitutional and legal framework within which the Covenant is implemented (art. 2)

1. The constitutional review process in the Sudan was initiated by the Government of the Sudan, through different stakeholders including government institutions, civil society organizations and academic institutions. The Government of the Sudan signed a letter of agreement with UNDP to implement activities in all the federal states of the Sudan to ensure a consultative, transparent, inclusive process and open discussions concerning the new constitution. Accordingly 14 workshops were held in different states of the Sudan (attached is a copy of the report of the aforementioned state activities). In addition, 13 further activities were organized by the Social Development Centre of the University of Khartoum with a view to ensuring the inclusion of further developed women's rights in the upcoming constitution. Two separate activities regarding child rights in the new constitution were organized by the National Council on Child Welfare in collaboration with the Advisory Council on Human Rights (ACHR). For the last part of the query which reads: "please indicate what mechanisms are used to prevent Sharia law from being applied in a manner that would be incompatible with the Covenant":

- Firstly; it is to the surprise of the Government of the Sudan that the Committee, which is tasked, inter alia, with the protection of the right to religion as one of the

* The present document is being issued without formal editing.

rights stipulated for by the International Covenant on Civil and Political Rights including Sharia law, is raising this point in a degrading way.

- Secondly; the Government of the Sudan believes that there is no contradiction between the Sharia law and this Covenant otherwise; a reservation could have been made, which is not the case.
- Thirdly; Islam is the choice of over 97% of the people of the Sudan as a way of life, which includes the choice to abide by the Sharia laws and legislation.
- Fourthly; please note that Sharia laws and provisions do not apply to non- Muslim citizens as such exemptions are inherent in all legislations and provisions derived from Sharia.
- Fifthly; given the sensitivity of this issue we expected a different approach from the Human Rights Committee.
- Sixthly; the Personal Code derived from Sharia laws does not apply to any non-Muslim as there is a separate Personal Code for the Christians and other faith including tribal customs.

2. The National Action Plan for the Promotion and Protection of Human Rights was launched in June 2013; the implementation of the plan is going on very well through its different aspects and a full report will be included in Sudan's fifth periodic report to the Human Rights Committee (copy of the plan is annexed herewith). In respect of the Committee's query about the mandate and complaints procedure of the Independent National Human Rights Commission (NHRC) please find attached a copy of the National Human Rights Commission Act 2009. Given the independency of the NHRC the requested information need to be addressed directly to the Commission. The ACHR held one coordination meeting with the NHRC to see ways and means of further collaboration in promotion and protection of human rights in the Sudan.

3. Law enforcement officials are legally accountable for any violations committed and the Government of the Sudan already attached updated statistics on complaints lodged and sentences passed against national security officers. The issue of immunities of law enforcement and other officials are of procedural nature according to the law granting such immunities and are only restricted to acts performed in the course of their duty. This issue was discussed in a comprehensive workshop supported by UNDP in cooperation with the Prosecutor General of the Ministry of Justice in 2013 (the outcome document is attached herewith).

4. The full implementation of the Doha Document for Peace in Darfur (DDPD) is highly prioritized in the Government's agenda. A lot of substantial steps have been taken, including the establishment of Darfur Regional Authority and launching a number of rehabilitation and reconstruction programs for the benefit of the conflict affected communities. The Government went ahead in the implementation of the DDPD through the establishment of legal institutions for further promotion of accountability as well as reconciliation, such as the Public Special Prosecutor for Special Courts in Darfur mandated to investigate any alleged crimes in Darfur during the period of conflict, and the Truth, Justice and Reconciliation Commission (TJRC) (attached is its enabling law). The TJRC started to function and entered into training, workshops and negotiations with different tribes to solve the tribal conflicts in Darfur area, since it is newly established a full report about its activities will be included in the fifth report of the Government of the Sudan. The implementation of the DDPD is faced by grave challenges that may be known to the international community, including the Human Rights Committee, particularly in the security aspect that is threatened in some pockets of the region by the armed group illegal activities. The Government of the Sudan exerted and will continue to exert all the possible

efforts to encourage the few remaining rebel groups to join the peace process. However, it is pertinent also to appeal to the international community to do the same. The Darfur Development strategy was adopted and Darfur Donner Conference was held in Doha.

Refugees, asylum seekers and internally displaced persons (arts. 2, 7 and 12)

5. Causes of displacement to, within, and out of the Sudan vary, but they are mainly attached to economic and security factors. In some situations of internal displacement, the better strategy determined to be not to use camps but absorb the affected population into adjacent communities, a case in point is the one occurred during the attack of the SPLM-N on Blue Nile in 2011, and during the attack of the SPLM-N on North and South Kordofan in April 2013. In some other cases the strategy was to open camps to shelter and protect the affected population, such as the case in relation to the conflict in Darfur since 2003. However, the prolonged stay and the adverse impact of the life in camps for the people resided there, especially women and children and the apparent lack of the essential services such as education, sanitation, health, security, as well as other services pushed the Government of the Sudan to adopt a new strategy of non use of camps and the resettlement of the displaced people in new villages or by introducing urban planning of the existing camps to provide a better living conditions, and better enjoyment of human rights to adequate housing for the affected population. In this regard, the financial constraints faced by the Sudan as a least developed country (LDC) and the impact of the economic sanction have to be appreciated. In order to be able to respond to all challenges related to displacement situations, the Humanitarian Aid Commission developed the National Policy on Displaced Persons (copy attached).One of the main priorities of the Government is to encourage voluntary return, accordingly voluntary Return villages were built, the starting point was building 21 villages (7 in North Darfur, 7 in South Darfur, 7 in West Darfur).Another important priority is the provision of basic needs and services, namely security, health services, clean water, and education as fundamental arrangements for encouraging the IDPs to settle and hence resume their activities (agriculture, livestock breeding) and contribute positively to the development in their respective region. The Federal and local government policy of seasonal return to places of origin for the purpose of encouraging agriculture activities in the rainy season is also proved to be successful.

6. Since 2008, the office of the Commission of Refugees started the registration of refugees in the Sudan. The number of refugees registered so far is 161,650. The program is still continuing in many states of the Sudan. It is to be noted that the Refugees from South Sudan have not been registered yet by the United Nations concerned authorities. The Government of the Sudan announced that they are welcomed in the Sudanese territories in full compliance with the bilateral agreements signed by the two states.

States of emergency (art. 4)

7. Sudan is a least developed country that is confronted with different belligerencies and security challenges. In spite of this fact, the state of emergency is usually considered as the last resort and there are limitations to the exercise of such power according to articles (210-211-212) of the Interim National Constitution 2005 which reads:

Declaration of State of Emergency

(1) The President of the Republic with the consent of the First Vice President, may upon the occurrence of an imminent danger, whether it is war, invasion, blockade, natural disaster of epidemic as may threaten the country, or any part thereof the safety or

economy of the same, declare a state of emergency in the country or in any part thereof, in accordance with this constitution and the law.

(2) The declaration of a state of emergency shall be submitted to the National Legislature within fifteen days of the issuance of the declaration. When the National legislature is not in session an emergency session shall be convoked.

(3) When the National Legislature approves the declaration of a state of emergency, all laws, exceptional orders or measures issued or taken by the President of the Republic pursuant to the state of emergency shall continue to remain in force.

Powers of the President in the State of Emergency

211. The President of the Republic with the consent of the First Vice President may during the state of emergency take by virtue of law or exceptional order any measures that shall not derogate from the provisions of this Constitution and the Comprehensive Peace Agreement except as may be provided herein:

(a) To suspend part of bill of rights. However, there shall be no infringement on the right to life, sanctity from slavery, sanctity from torture, the right of non-discrimination on the basis of race, sex religious creed, the right in litigation or the right to fair trial;

(b) To dissolve or suspend any of the state organs or suspend such powers, as may be conferred upon the states under this Constitution. The President of the Republic with the consent of the Vice President shall assume the functions of such organs and exercise the powers or prescribe the manner in which the affairs of the state concerned may be managed;

(c) To take any such measures as deemed necessary to the state of emergency, and this shall have the force of law.

Duration of the State of Emergency

212. The duration of the measures relating to the state of emergency shall expire in the following cases:

(a) Lapse of thirty days as from the date of issuance of the declaration if the National Legislature does not approve by a resolution the extension of its duration;

(b) Lapse of the duration approved by the National Legislature;

(c) Issuance of a declaration by the President of the Republic with the consent of the First Vice President lifting the state of emergency.

Non- discrimination and equal rights of men and women (arts. 3, 23, 25 and 26)

8. In order to empower women and provide them with better chances to participate in decision-making, the minimum quota preserved for women in the legislative body is 25%, and it has been implemented by 100% in the Council of States (the first chamber of the parliament) as well as in the National Assembly (the second chamber of the parliament). The same percentage is said in respect of all the states' legislative bodies. The other aspects mentioned in this paragraph i.e. employment rates, senior posts, female education and the implementation of the national policy for women's empowerment and the national policy for girls' education are well reflected in the Sudan's second and third periodic reports on the implementation of the International Covenant on Economic, Social and Cultural Rights

which was submitted to the Committee on Economic, Social and Cultural Rights in 2012. The Human Rights Committee is kindly requested to go through this report (copy attached).

9. As for law reform concerning the Personal Code Act and the Criminal Act 1991, and as already reported, a committee was established at the Ministry of Social Welfare, Women Center for Human Rights to revise these laws. Eight activities were carried out discussing the outcome of the study and the recommendations by the experts with wide participation from civil society organizations the recommendations were submitted to the Minister of Social Welfare.

10. The Women Parliamentarians Committee is also following up on this issue with the National Assembly. The principles of equality and non-discrimination are well reflected in the Constitution and in the national and state level legislations.

Violence against women (arts. 2, 3, 7, 23 and 26)

11. Please see our response in paragraph 9 above in relation to the amendment to the Criminal Act 1991, which includes articles 149, 152 and others. The law reform is a process, which the Government of the Sudan already started. For domestic violence, it is covered under the Personal Code and it is one of the reasons upon which the wife can sue her husband for divorce in court. The definition of the term "spousal rape" is unclear and has no reference in the Covenant; however, according to the Personal Code Act, marriage is void if there is lack of consent, and a wife has unfettered legal right to seek judicial remedy for any form of domestic violence, including that done by her spouse.

12. Saleema Campaign is considered as one of the major ongoing projects to combat FGM through social change of perceptions, which adopts a concerted gradual approach due to the fact that the practice is deeply rooted in social tradition. Another major legislative achievement is the prohibition of FGM in certain states of the Republic of the Sudan namely Gadarif, North Kordofan, South Darfur and Red Sea. A further long term national strategy to eliminate FGM was developed and is being implemented by the NCCW. By the end of 2014 the FGM Elimination Campaign which stems form the national strategy to eliminate FGM will be evaluated to see its impacts and results.

Right to life and prohibition of torture and cruel, inhuman or degrading treatment (arts. 6 and 7)

13. The submissions in this paragraph are mere allegations which are baseless and unfounded. The judicial system, in its both legislative and modality, is well established in all parts of the Sudan including conflict areas in such a way that it never condones impunity. In Darfur, the Public Special Prosecutor of the Special Courts for Darfur alleged crimes investigated 54 cases from which 8 cases were already decided upon and sentences were passed by the courts and the criminal investigation is progressively going on in the rest of the cases.

14. Delivery of humanitarian assistance to conflict affected areas, especially the areas controlled by rebel and outlaws groups, is usually done through national NGOs and United Nations agencies, programs, and funds. The Humanitarian Aid Commission emphasized in many occasions that there is no complaint in this respect. The tripartite memorandum of understanding signed by the African Union, League of Arab States, the United Nations and the Government of the Sudan clearly indicate and evidence that the issue of lack of access lies within the rebel-held areas not the Government controlled areas. Further it ensures that the Government of Sudan agreed to the access to the rebel held areas without unnecessary restrictions. The rebel groups, to the knowledge of the international community, are

responsible for hampering humanitarian aid operations, including children vaccination, through rejecting of the implementation of the aforementioned MoU and other tripartite consensus. The allegations mentioned in paragraph14 of the list of issues are therefore unfounded.

15. The death penalty is confined to the most serious crimes. It is usually mentioned not as the sole sentence in the provision, but accompanied by other options. The trial court and judge have the discretion to choose the suitable punishment having regard to the gravity of the act, the circumstances of the case and other considerable elements when dealing with the case. The death penalty as to be noted is one of the criminal punishments that enjoy an automatic appeal process by the junior courts up to the high court and then to the constitutional court and even then, the President of the Republic must endorse the ruling before execution. The offences punishable with death in the Sudanese law are:

(a) Murder, unless the heirs or next of kin of the deceased forgive (S. 130 of the Criminal Act 1991);

(b) Undermining the Constitutional System (S. 50);

(c) Espionage against the country (S. 53);

(d) Rape, when the victim is a minor or committed during armed robbery (banditry or *Hiraba*) (S. 86 of the Children Act 2010, and S. 168 of the Criminal Act);

(e) Crimes Against Humanity (S. 186 of the Criminal Act);

(f) Genocide (S. 187);

(g) War crimes Against Persons (S. 188);

(h) War crimes by using prohibited means and weapons (S.192);

(i) Adultery by a married person; provided that it is adequately proved by the deposition of four eye-witnesses who saw the pair in action and separated them, or by a valid confession and that the confession is not retracted at any time before the execution of the sentence (S. 146);

(j) Abetting or enticing a minor or an insane or an intoxicated person to commit suicide, provided that the act of suicide is accomplished. (S. 134).

16. Torture is well defined and provided for in several Sudanese legislations. Section 115 (2) of the Criminal Act 1991 provides that:

"Any person of a public authority who induces, intimidates or tortures any witness, suspect or litigant to adduce or not adduce information in any proceeding shall be punished with imprisonment for a term not exceeding three months or with fine or with both".

Section 51 (3) Of the National Security Act 2010 states:

"A detainee or arrested person shall be treated with dignity and shall not be physically or morally hurt...".

Section 4 (d) of the Criminal Procedures Act 1991 provides that:

"An accused shall not be transgressed in his/her person or property, and shall not be compelled to adduce evidence against him/herself. He/she may not be requested to swear an oath save in cases involving a private right of another".

Evidence obtained as result of torture is inadmissible in the courts of law. Section 20 (2) of the Evidence Act 1994 reads: "In criminal matters, admission (confession) shall not be valid if it is obtained as a result of inducement or coercion".

17. There are no reported complaints to the various national mechanisms or court cases of torture during the reporting period. However the Sudanese legal system accommodates a long range of remedy for any person affected by any form of ill-treatment or torture, as for instance, he/she would have a very strong ground for appeal to set aside any trial court conviction on improperly or illegally obtained evidence, and the right of the concerned person to resort to the competent modality and initiate proceeding against the culpable public authority as mentioned above in section 115 (2) of the Criminal Act. There are instances of complaints of ill-treatment and other reasons by individuals against the NISS and police agents. Enclosed herewith is a statistical NISS's report on complaints received and cases decided on this issue for the period 2005-2013, and another similar report by the police for the years 2011, 2012 and 2013.

18. The punishments referred to in paragraph 18 of the list of issues stem from the national belief and creed which is recognized in the Universal Declaration of Human Rights and the Covenant, and imposed in accordance with the law for legitimate public and private interests and safeguarded by all the means of due process of law as recognized by public international law.

Elimination of slavery and servitude (art. 8)

19. Concerning the steps taken to eliminate abduction, there has been established the Committee for Elimination of Abduction of Women and Children (CEAWC) which carried out its activities with international partners and finalized its functions and mandate in full coordination with the international community. There are no real agreed cases that were endorsed by the United Nations concerned party which were involved nationally in Sudan. Further, at the secession of South Sudan no issue had been raised in this respect. Furthermore, adoption of the national family number registration that was launched since 2010 has not yet revealed any cases as such. Regarding the immigrants and asylum seekers from neighbouring countries, the Sudanese international borders are widely extended a matter that encourages people movements in its all forms, especially from conflict areas in neighboring countries, and as such increases the challenge in combating illicit practices. However, the Sudan has recently enacted a human trafficking combating Act 2013, which contains effective provisions to combat such phenomenon and provides for severe penalties that may amount to death penalty.

Right to liberty and security of person, treatment of persons deprived of their liberty and fair trial (arts. 9, 10 and 14)

20. The powers of arrest and detention according to the National Security Act 2010 are within the safeguards and limitations included in the International Covenant on Civil and Political Rights. In this regard we are inviting the Human Rights Committee to read in depth the National Security Act 2010 and specifically Articles 50 and 51 which read:

Article 50:

Power of Members, the Director and the Council

50. (1) After perusal of the provisions of Article 29 and 37 of the Interim Constitution of the Republic of the Sudan, 2005 every member designated by the director, by an order thereof, for the sake of executing the functions set out in this Act, shall have:

(a) Any of the power provided for in section 25 hereof;

(b) Search, after obtaining a written order, from the NISS Director;

(c) The powers of a policeman, provided for in the Sudan Police Act and criminal;

(d) Exercise any legal powers, as may be necessary for implementation of provisions of this Act;

(e) Arrest or detention of any suspected person for a period not exceeding thirty days, together with notifying his relatives forth with;

(f) After expiry of the thirty days period refered to paragraph (e) above and where there are reasonable causes which require more inquiry and investigation and the person to be remanded in custody, the member shall submit the matter to the Director and recommend such, as he may deem fit;

(g) The Director may renew detention, for a period not exceeding fifteen days for completing the inquiry and investigation;

(h) Where it transpires to the Director that the remaining of the person in custody is necessary for completing inquiry investigation due to connection of the charge with what threatens the security and safety of the citizen and frightening the society, through armed robbery, religious sedition, racism, terrorism, destruction of peace, practice of political violence or intelligence against the homeland he shall submit the matter to the Council which may extend the detention period to a period not exceeding three months;

(i) Subject to the cases referred to in paragraphs (e), (g) and (h), the NISS authorities shall notify the competent Prosecution Attorney and deliver the suspect and all the documents and their attachments thereto for completing the procedure and case of non-presence of a prime facie evidence the Organ shall release the suspect.

(2) For the purposes of this section the NISS shall give due regard to the provisions of Article 33 of the Interim constitution of the Republic of Sudan, 2005.

(3) The Director shall issue the standing orders necessary for organizing the exercise of the power mentioned in sub-section (1) above.

Rights of the detained arrested or confined person

51. (1) A person shall be informed upon his being detained arrested or confined of the ground demanding the same.

(2) A detained arrested or confined person shall have the right to inform his family or the body to which he belongs of his detention and be allowed to communicate with his family or his advocate where the same does not prejudice the progress of Interrogations inquiry and investigation.

(3) A detained arrested or confined person shall be treated in such way as may preserve the dignity of the human being and shall not be hurt physically or morally and regulations shall specify the manner of keeping and delivery of his belongings.

(4) The detained person shall have the right to obtain in additional quantity food and cultural materials and clothes at his own expenses subject to circumstance relating to security and order at custodies.

(5) Detained women shall not be kept save in the custodies specified for women and shall be treated in such way as may be fit for their status as women.

(6) Family of the arrested person shall be allowed to visit him in accordance with the regulations organizing the same.

(7) A detained person shall have the right of medical care.

(8) The competent prosecution Attorney shall continuously inspect custodies of detained persons to ascertain the abidance by the safeguards of detention, and receive any complaint from a detained person in this respect.

(9) The regulations shall elaborate the conditions that have to be satisfied in custody, and all the procedure and matters, which secure preservation of the dignity of the detained person.

(10) Any arrested person shall have the right of access to the court, where he remains in custody, or detention for more than the periods, specified in section 50, hereof.

21. The Human Rights Committee is kindly requested to go through the attachment to the submitted report which indicates clearly how the national security officers are held liable and accountable in any case of violations whether criminal or civil and the remedies are also available. There are a number of judicial, semi-judicial and executive control mechanisms such as the Constitutional Court, the competent court established under the National Security Act, the competent prosecutor provided for in the National Security Act, the National Security Council, the Human Rights Committee of the National Assembly, the Public Grievances Chamber, the ACHR, the National Human Rights Commission and the civil and administrative judicial systems, in addition to the self-monitoring mechanism such as the NISS office of public information and citizen service, and the permanent non-summary court of the NISS.

22. The total number of prisons in Sudan is 238 prisons while the number of prisoners held in the whole prisons of Sudan is 16.976 according to the official records which indicate that there is not a single political detainee. At the same time, the records show that the number of women prisoners in the whole Republic of Sudan is 1.090 females. The independent expert has upon his request visited to prisons in February 2014 and highly commended Al-Huda Prison. The Government is exerting continuous efforts to reform and rehabilitate the prison environment, and this is clearly reflected in the Al-Huda Reformatory Town which has been visited by several international stakeholders including the Independent Expert on the situation of human rights in the Sudan who applauded the conditions and standards applied in respect of such a prison in Africa. As to minors, the Sudanese law does not punish persons under 18 years of age with imprisonment. Juvenile offenders, when convicted, are to be kept in reformatories, which are separate from prisons.

23. Regarding the Amendments to the Armed Forces Act, the 2013 amendment to the Act does not affect civilians in their status as such. The referred to amendments can be introduced as follows: Paragraph (h) of section 4 (persons who are subject to the provisions of the Act) is amended to include persons who.

(1) Establish an armed organization to wage military war against the State.

(2) Attack or assault, by use of weapons or any other means of war, any unit or camps belonging to the armed forces or any other regular force.

(3) Carry weapons or any other means of war for the purpose of destabilizing the safety and security of the Country.

(4) Work in the military service of any State which is in a state of war with the Sudan, or mobilize or equip soldiers to invade a foreign State, or damage or sabotage any weapons, supplies, ships, aircrafts...for the purpose of harming the military status of the Country.

(5) Being tasked with guarding prisoners of wars as public servants, intentionally allow or negligently condone or knowingly assist any prisoner of war to escape from detention.

(6) Enter, without permission or lawful excuse, into any military zone or make photographs or sketches in such a manner which is advantageous to the enemy.

(7) Abet any member of the armed forces or other regular forces to rebel or defect.

Freedom of conscience and religious belief (art. 18)

24. No process in relation to the abolishment of apostasy is taken so far and in this respect the Human Rights Committee is kindly invited, while calling on State parties to respect religious belief provided for in the Covenant and the Universal Declaration of Human Rights, not to demean but to respect, likewise, the Islamic religion and beliefs of the people of the Sudan in this regard. The Committee should really make attempts to understand the Islamic religion in its totality and not to take Islamic provisions out of context or judge it by or through the eyes or other religions faiths or preconceived ideas. It should be noted that the rights of non-Muslims are well respected and protected by virtue of the Interim Constitution 2005, the Sudanese national legislations, institutions and the practice thereto. The rights and obligations of the Sudanese citizens and residents is well entrenched in the Interim Constitution 2005 as based on citizenship regardless of their faith, religion or beliefs. And it is worth-mentioning that the Sudanese society is characterized throughout history with its tolerance, peaceful coexistence and respect of diversities.

Freedom of expression, freedom of assembly and of association (arts. 19, 21 and 22)

25. Freedom of expression is well guaranteed in Sudan and in accordance with the International Covenant on Civil and Political Rights and even the limitations in the exercise of this right are in full compliance with the Covenant. In case of violation of this right, there is a well-established and well rooted justice system in the Sudan. In this regard we refer to the recent decision of the Constitutional Court that the prevention of publication of two articles written by Mr. Ishaq Ahmed Fadlalla who is Al-intibaha daily newspaper journalist as unconstitutional. A recent decision of the Constitutional Court issued in the Constitutional case 222/2012 on March 5th 2014, to the effect that the NISS's order to suspend Altayar daily newspaper is void. The court in this case also annulled the Director's Order Number 12/2012 dated 22 February 2012, which suspended and stopped the publication of the Altayar daily newspaper.

26. Regarding the allegations of use of excessive force to disperse demonstrations we would like to report the following. On the June-August demonstrations, we have already submitted to the Committee the information required. Concerning the September 2013 demonstrations, see the response of the Government of the Sudan to the Independent Expert to the effect that all the allegations are ill-founded. The said demonstrations were not all within the law as some of the organizers did not request or obtain permission from authorities as required by national law. They turned out to be not peaceful but chaotic and mainly aimed at destruction, burning and looting of private and public properties resulting in many regrettable loss of live and livelihood or many people. It is well publicly admitted by the rebel groups that they were the organizers of these to further their attempts to overthrow the Government. (Please refer to www.sudantodayonline.com and www.soundcloud.com/salusha/sudan-dialogue for the interviews of the JIM Chairman dated 18 January 2014 and Yasir Arman, the SPLM-N Chairman dated 30 September 2013 respectively claiming responsibility). Those people who lost their lives were more than 60 people some of whom were shot in the back clearly by fellow so-called demonstrators. Many petrol stations, pharmacies, private cars, public transport, bakeries, electricity

installations, police stations, attorney general agencies, courts, land registries, supermarkets, private houses, banks, ATM machines, communication companies to name some. These losses amounted to more than one hundred million US dollars. All such losses are currently assessed by the Attorney General for compensation to be made by the Government. As a result, these so-called peaceful September demonstrations are any thing but a peaceful expression of opinions as claimed by the Committee.

Protection of children (art. 24)

27. In relation to birth registration, the birth registration rate has risen from 32.6% in 2006 to 59.3 in 2010. The percentage varies from one state to another (70.1% in Khartoum to 16.4% in West Darfur). Many factors contribute to the low rate of birth registration in some remote areas such as, illiteracy, and ignorance of the importance of birth registration. The civil rolls registration authority carries out enlightening Campaigns frequently, in order to address this matter at both national and local levels. Birth registrations and all processes or services relating to the civil register are free of charge.

28. The DDR received a list containing the names of 120 children recruited by the SPLM-N belonging to different states of Darfur. Seventy-four children were reached and identified (43 from the list and 31 outside the list), and the work is ongoing to locate the rest in Central and Northern states of Darfur. In the Blue Nile state a list including 170 children, recruited by the rebel armed groups, was received from the local administrations, and the assistance of Mobadiroun Organization (NGO) was sought to carry out survey of the children who have been demobilized; 44 children were identified and reached. It worth mentioning here that, in the Republic of the Sudan, child recruitment is prohibited by the law. The National System for children Protection Mechanisms in Sudan has been inaugurated. It is composed of all partners from government institutions and civil society organizations operating in the field of child protection. Furthermore, recently, over a hundred foreign children were intercepted by the security agencies on their way with traffickers to Europe via Libya. The NCCW in collaboration with UNICEF exerted a lot of efforts rescue and protect the victims.

Minority rights (art. 27)

29. In relation to persons of South Sudanese origin living in Sudan, the Government of the Sudan is working in close collaboration with IOM and the Government of South Sudan to facilitate their voluntary repatriation to their homeland. The international community is following closely the implementation of the Cooperation Agreements signed by the Government of the Republic of the Sudan and South Sudan. The President of the Republic of the Sudan has recently announced that South Sudanese citizens shall be treated on an equal footing as Sudanese citizens. The South Sudan Government has the onus to provide identification documents for all South Sudanese citizens in Sudan in order to facilitate their repatriation, or legalization of their residence status in the Sudan.

Dissemination of information relating to the Covenant (art. 2)

30. The Advisory Council for Human Rights and other government ministries are continuing their training and human rights education programmes in relation to constitutional, legislative, international and regional human rights treaties and mechanisms at the national level. These activities targeting to raise the awareness of the government officials, political parties, academia and other civil society actors in the field of Human Rights (for more details please reference is made to the Mid-term Voluntary Report of the

Government of Sudan about the status of implementation of the UPR which was submitted officially during the twenty-fourth session of the Human Rights Council, September 2013; the report is available at www.achr.gov.sd).

31. For more details about the fourth periodic report under the International Covenant on Civil and Political Rights as well as all other reports please go to www.achr.gov.sd and www.moj.gov.sd respectively. The draft report under the Covenant was shared with different government institutions and civil society organizations, then an open workshop was organized, with the participation of all stakeholders including civil society organizations to discuss the methodology and content of the report and their comments were included. This participatory trend was recommended in the methodology of the fourth periodic report of the Government of the Sudan and was duly observed in subsequent reports of the Sudan Government.

32. Finally, the Government of the Sudan would like to assure the Human Rights Committee that it is determined to promote and protect civil and political rights within its territory and also reiterates its commitment to cooperate fully with the Committee in this regard.

List of annexes *

1. Report of the State activities in relation to the constitution making process.
2. The National Plan for the Promotion and Protection of Human Rights 2013-2023.
3. National Human Rights Commission Act, 2009.
4. Universal periodic review of the Human Rights Council, Sudan National Mid-term Report 2013.
5. Outcome Document of the conference on immunity in the Sudanese legislations.
6. The TJRC enabling Act.
7. National Plan on Internally Displaced Persons.
8. Sudan second and third periodic reports (2003-2008) under articles 16 and 17 of the International Covenant on Social, Economic and Cultural Rights.
9. NISS statistical report on complaints.
10. Police statistical report on complaints and cases.

* Annexes can be consulted in the files of the secretariat.